

### **AMENDMENTS TO THE CLAIMS**

The following listing of claims will replace all prior versions and listings of claims in the application.

#### **LISTING OF CLAIMS**

1. (Currently Amended) A method of repairing a tear in body tissue comprising:

inserting a needle containing a retaining head therein from a first insertion position on a first outer surface of the body tissue, through the tear and to a second outer surface of the body tissue;

ejecting said retaining head from said needle, said retaining head grasping said second outer surface in an engaged position; and

~~advancing an anchor coupled to said retaining head from a second insertion position on said first outer surface of the body tissue~~ locating a blunt end of a hollow tube adjacent to the body tissue without penetrating the body tissue at a second insertion position distinct from said first insertion position, said hollow tube containing an anchor therein; and

advancing said anchor by advancing a plunger within said hollow tube toward said blunt end, said anchor piercing the body tissue ahead of said plunger and advancing to a position within the body tissue intermediate a portion of the tear and said second outer surface of the body tissue, said anchor coupled to said retaining head by a flexible member that extends a distance along said first outer surface of the body tissue from said first insertion position to said second insertion position, wherein a first terminal

end of said flexible member is coupled to said retaining head and a second terminal end of said flexible member is coupled to said anchor.

2. (Previously Presented) The method of claim 1 wherein ejecting said retaining head from said needle comprises:

advancing a plunger within said needle toward a distal opening of said needle;

deploying said retaining head from said distal opening; and

removing said needle from said body tissue at said first insertion position.

3. (Currently Amended) The method of claim 2 wherein said advancing said plunger within said needle further comprises:

guiding said flexible member along a longitudinal slot disposed along said needle.

4. (Canceled).

5. (Currently Amended) The method of claim [[4]] 1 wherein said advancing said plunger further comprises:

guiding said flexible member along a longitudinal slot disposed along said hollow tube.

6. (Currently Amended) The method of claim [[4]] 1 wherein locating [[a]] said blunt end of [[a]] said hollow tube comprises:

locating said blunt end of said hollow tube a predetermined offset distance from said first insertion position whereby said advancing said anchor to said position within the body tissue makes said flexible member taught between said first and second insertion positions.

7. (Previously Presented) The method of claim 1 wherein ejecting said retaining head and advancing said anchor are simultaneously performed.

8-19. (Canceled).

20. (Previously Presented) A method of repairing a tear in body tissue comprising:

passing a needle from a first portion of the body tissue, through the tear and to an outer surface of the body tissue;

ejecting a retaining head from said needle such that said retaining head lies against said outer surface in an engaged position; and

inserting an anchor coupled to said retaining head by a flexible member from said first portion, through the tear to a desired location within the body tissue intermediate the tear and said outer surface of the body tissue, wherein said flexible member extends a distance along said first portion of the body tissue and wherein a first terminal end of said flexible member is coupled to said retaining head and a second terminal end of said flexible member is coupled to said anchor.

21. (Cancelled).

22. (Previously Presented) The method of claim 20 wherein inserting said anchor to said desired location comprises:

securing said first terminal end of said flexible member at only one location to said retaining head;

molding said second terminal end of said flexible member to said anchor;

and

inserting said anchor to said desired location wherein said flexible member is taught between said anchor and said retaining head.

23. (Previously Presented) The method of claim 20 wherein ejecting said retaining head from said needle comprises:

advancing a plunger within said needle toward a distal opening of said needle;

deploying said retaining head from said distal opening; and

removing said needle from said body tissue.

24. (Previously Presented) The method of claim 23 wherein advancing said plunger further comprises:

guiding said flexible member along a longitudinal slot disposed along said needle.

25. (Currently Amended) The method of claim 23 wherein inserting said anchor comprises:

locating a distal end of a hollow tube onto the body tissue without penetrating the body tissue, said hollow tube containing said anchor therein; and

advancing a plunger within said hollow tube a predetermined distance thereby advancing said anchor to said desired location.

26. (Previously Presented) The method of claim 25 wherein the body tissue is a meniscus and the tear is a tear in the meniscus;

wherein said first portion of the body tissue is a first outer surface of the meniscus;

wherein said outer surface of the body tissue is a second outer surface of the meniscus; and

wherein the desired location is in the meniscus.

27. (Previously Presented) A method of repairing a tear in a meniscus comprising:

inserting a cannulated piercing member having a piercing end and defining a first length, said cannulated piercing member containing a retaining head therein from a first insertion position on a first outer surface of the meniscus, through the tear and to a second outer surface of the meniscus, said retaining head having a longitudinal body and positioned generally longitudinally within said cannulation;

ejecting said retaining head from said piercing member such that said retaining head engages said second outer surface of the meniscus; and

advancing an anchor coupled to said retaining head from a second insertion position on said first outer surface of the meniscus to an implanted position, wherein in said implanted position, said anchor passes through a portion of the tear and remains within tissue defining the meniscus, said anchor coupled to said retaining head by a flexible member that extends a distance along said first outer surface of the meniscus, wherein a first terminal end of said flexible member is coupled to said retaining head and a second terminal end of said flexible member is coupled to said anchor.

28. (Previously Presented) The method of claim 27 wherein ejecting said retaining head from said piercing member comprises:

advancing a plunger within said piercing member toward a distal opening of said piercing member;

deploying said retaining head from said distal opening; and

removing said piercing member from said meniscus at said first insertion position.

29. (Previously Presented) The method of claim 28 wherein advancing a plunger further comprises:

guiding said flexible member along a longitudinal slot disposed along said piercing member.



30. (Previously Presented) The method of claim 27 wherein advancing an anchor comprises:

locating a blunt end of a hollow tube on said second insertion position without penetrating the meniscus, said hollow tube containing said anchor therein, said hollow tube having a second length that is less than said first length, such that said piercing end extends beyond said blunt end; and

advancing a plunger within said hollow tube a predetermined distance toward said distal end thereby advancing said anchor to a desired location in the meniscus, said anchor piercing the meniscus during said advancing.

31. (Currently Amended) The method of claim 30 wherein locating a blunt end of a hollow tube comprises:

locating said blunt end of said hollow tube a predetermined offset distance from said first insertion position whereby advancing said anchor to said desired location makes said flexible member taught between said first and second insertion positions to substantially close the tear.

32. (Previously Presented) The method of claim 30 wherein said cannulated piercing member and said hollow tube are distinct components fixedly coupled such that ejecting said retaining head and advancing said anchor are simultaneously performed, and inserting said cannulated piercing member and locating said blunt end are simultaneously performed.

33. (New) The method of claim 1, further comprising simultaneously piercing the body tissue with the needle and locating the blunt end adjacent to the body tissue.

34. (New) The method of claim 1, further comprising fixing the needle relative to the hollow tube.

35. (New) A method of repairing a tear in body tissue comprising:

providing a plunger mechanism having a cannulated needle fixedly coupled to a hollow tube at a generally laterally offset relationship;

locating a retaining head into the cannulated needle and an anchor into the hollow tube, wherein terminal ends of a flexible member are connected to the retaining head and the anchor respectively;

locating the plunger mechanism relative to the body tissue such that a distal tip of the needle passes through a first insertion position of the body tissue, through the tear and to an outer surface of the body tissue, wherein a blunt end of the hollow tube concurrently locates adjacent to the body tissue without penetrating the body tissue at a second insertion position that is offset relative to the first insertion position; and

concurrently advancing a first plunger through the cannulated needle and a second plunger through the hollow tube wherein the retaining head is ejected from the cannulated needle such that the retaining head lies against the outer surface of the body tissue and the anchor passes through the tear to a desired location within the body tissue intermediate the tear and the outer surface of the body tissue, the anchor directly engaging the body tissue upon deployment from the blunt end of the hollow tube, wherein the flexible member advances through respective slots formed along the cannulated needle and hollow tube during the concurrent advancement.

36. (New) The method of claim 35, further comprising fixing the needle and the hollow tube substantially parallel to one another.

37. (New) The method of claim 35, further comprising fixing the first plunger relative to the second plunger.